



FF10
11/5/02
Lia

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Martis et al.
Appl. No.: 09/955,248
Filed: September 17, 2001
Title: BIOCHEMICALLY BALANCED PERITONEAL DIALYSIS SOLUTIONS
Art Unit: 1621
Examiner: R. Keys
Docket No.: DI-4641 CONT

RECEIVED

Commissioner for Patents
Washington, DC 20231

NOV 01 2002

RESPONSE TO OFFICE ACTION

TECH CENTER 1600/2900

Sir:

In response to the Office Action dated July 24, 2002, please amend the above-identified patent application as follows:

REMARKS

In the Office Action Claims 1-16 are rejected under 35 U.S.C. §§ 102 or 103. Applicants respectfully submit that the rejections are improper for the reasons set forth below.

At the outset, the Patent Office has indicated that the lined-through references on PTO Form 1449 have not been considered because they allegedly fail to comply with 37 C.F.R. § 1.98. The lined-through references include three references, namely European Patent Document No. 0613688A1, French Patent Document No. 2753099 and European Patent Document No. 0935967.

In response, Applicants are submitting herewith a Supplemental Information Disclosure Statement (IDS) which identifies the lined-out references from the previously-submitted IDS. A copy of each of these references was also previously submitted. In addition, Applicants are submitting an English language translation of the Abstract for each of these references. Therefore, Applicants believe that this submission fully complies with 37 C.F.R. § 1.98.

Accordingly, Applicants respectfully request the references identified in the Supplemental IDS be considered during the examination of the above-referenced patent